

# WILMINGTON JOURNAL.

DAVID FULTON, Editor.

OUR COUNTRY, LIBERTY, AND GOD.

ALFRED L. PRICE  
AND  
DAVID FULTON PROPRIETORS.

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## TERMS

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Oct. 4th, 1844. 3-1j

**WILLIAM COOKE,  
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Next door North of the New Custom-house,  
WILMINGTON, N. C.**

**GILLESPIE & ROBESON,  
AGENTS**  
For the sale of Timber, Lumber, and all other kinds of Produce.  
Sept. 21, 1844. 1-4f

**ROBERT C. BARKER,  
Auctioneer & Commission Merchant,  
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Liberal advances made on shipments to his friends in New York.  
September 21, 1844. 1-4f.

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Wholesale & Retail Druggist  
WILMINGTON, N. C.**

**Prospectus  
FOR THE CONGRESSIONAL GLOBE AND  
APPENDIX.**

These works have such a wide circulation, and have been so universally approved and sought after by the public, that we deem it necessary only in this prospectus to say that they will be continued at the next session of Congress, and to state, succinctly, their contents, the form in which they will be published, and the prices for them.

The Congressional Globe is made up of the daily proceedings of the two Houses of Congress. The speeches of the members are condensed to bring them into a readable length. All the resolutions offered, or motions made, are given in the mover's own words; and the yeas and nays on all the important questions. It is printed with small type—brevier and nonpareil—on a double royal sheet, in quarto form, each number containing 16 royal quarto pages.

The Appendix is made up of the President's annual message, the reports of the principal officers of the Government that accompany it, and all the long speeches of members of Congress, written out or revised by themselves. It is printed in the same form as the Congressional Globe, and usually makes about the same number of pages.

As some persons who may receive this prospectus may wish to subscribe for our regular papers, through which we speak to members of Congress and their constituents, we will here state that we publish a daily paper at \$10; a semi-weekly paper at \$5; and a weekly paper, with a complete index to it, at \$3 a year, payable in advance.

### TERMS.

For the Congressional Globe, \$1 per copy.  
For the Appendix, \$1 per copy.  
Six copies of either of the above works will be sent for \$5; twelve copies for \$10; and so on in proportion for a greater number.  
Payments may be transmitted by mail, postage paid, at our risk. By a rule of the Post Office Department, postmasters are permitted to frank letters written by themselves, containing money for subscriptions.

The notes of any bank, current where a subscriber resides, will be received by us at par.  
To insure all the numbers, the subscriptions should be in Washington by the 10th of December next, at farthest.  
No attention will be paid to any order unless the money accompanies it.  
BLAIR & RIVES,  
Washington City, Nov. 11, 1844.

**NEGRO BROGANS.  
500 PAIR NEGRO BROGANS,  
500 pair men's kip do.**

Together with a general assortment of men's  
**CALF AND KIP**  
sewed and pegged **BOOTS**, which will be sold cheap and no mistake, at the sign of the Mammoth Boot.  
J. PUNDEFORD. [N29, 111]

**Just Received from New York,  
per schr. Samuel Ingham, and for sale by  
WM. COOKE,**

**CRATE CROCCERY, 10 casks and 12  
boxes Cheese, 15 kegs Goshen Butter,  
20 bbls Apples, 20 do Potatoes,  
6 bbls retailing Molasses,  
10 boxes Fire Crackers, and a general assort-  
ment of FAMILY GROCERIES. [Nov. 29,**

## SPLENDID LOTTERIES.

J. G. GREGORY & Co. Managers.

### ALEXANDRIA LOTTERY.

CLASS 45 FOR 1844.

To be drawn in Alexandria, D. C. on Saturday,  
December, 21st, 1844.

### SPLENDID PRIZES.

30,000 Dollars! 10,000 Dollars!  
6,000 Dollars! 3,140 Dollars!  
3,000 Dollars! 2,500 Dollars!  
2,000 Dollars!  
50 Prizes of 1,000 Dollars.  
&c. &c.

Tickets \$10—Halves \$5—Quarters \$2 50

Certificates of Packages of 25 Whole Tickets \$130

Do do 25 Half do 65

Do do 25 Quarter do 32 1/2

40,000 DOLLARS.

### ALEXANDRIA LOTTERY.

CLASS 46, FOR 1844.

To be drawn in Alexandria, D. C., on Saturday,  
the 28th of December, 1844.

78 Number Lottery—14 Drawn Balls.

### BRILLIANT PRIZES.

1 splendid prize of \$40,000

1 do 12,000

1 prize of 6,000

1 do 5,000

1 do 3,500

1 do 2,500

1 do 2,000

1 do 1,900

1 do 1,500

1 do 1,500

2 prizes of 1,250

2 do 1,200

2 do 1,000

&c. &c. &c.

Tickets \$10—Halves \$5—Quarters \$2 50

Certificates of Packages of 25 Whole Tickets \$130

Do do 26 Half do 65

Do do 26 Quarter do 32 1/2

Orders for Tickets and Shares and Certificates of Packages in the above splendid Lotteries will receive the most prompt attention, and an official account of each drawing sent immediately after it is over to all who order from us—address,  
J. G. GREGORY & Co., Managers,  
Richmond Virginia.

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## READ THIS!

### Blacksmithing

### L. WOOD,

LATELY from Fayetteville, N. C., respectfully  
informs the public that he has located in  
the town of Wilmington, and is carrying on the  
**Blacksmith Business**  
in all its various branches. He has on hand, of  
his own manufacture, a handsome and substantial  
assortment of **Round Shaves**, which he  
challenges to be surpassed, either in beauty or  
durability.

He will keep on hand a superior assortment.

### REPAIRING,

of every description, in his line, promptly attended  
to and substantially executed.

L. W. will be thankful to the public for a share  
of their patronage.

His shop is situated on the Wharf, nearly opposite  
Messrs. Hall & Armstrong's Distillery, where  
he may at all times be found, during business hours.  
Nov. 22, 1844. 10-4f  
Chronicle 4 times.

## In Store.

### GOOD BACON HAMS,

best Goshen But-  
ter, sweet Crackers, Soda Biscuit,  
Dried Canned Beef, Corn and Meal,  
Laguira, Cuba and Rio Coffee,  
Brown, Leaf and Crushed Sugar,  
Cotton Yarn and Seine Twine,  
Crocery Ware, Coffee Mills,  
Spades and Shovels, and sundry articles, at  
lowest prices, by  
A. J. BATTLE, Agt.  
Nov. 22, 1844.

### Fire

### INSURANCE.

THE SUBSCRIBERS, having been appointed  
Agents for the Williamsburg New York  
Insurance Company, are prepared to take Risks on  
buildings and merchandise in town; and, also, on  
buildings in the country, at the lowest rate of premium.  
KELLY & McCALEB.  
Nov. 22, 1844. 10-6m

## Liquors and Porter.

40 BBLs. N. E. RUM,  
5 do. N. O. do.  
5 do. Am. Brandy,  
2 Pipes Holland Gin,  
5 eight's Casks do.  
5 eight's Cask Cog. Brandy,  
6 Casks Porter in qts. and pints.  
Just received and for sale by  
BARRY & BRYANT.  
Nov. 15, 1844. 9-4f.

## WHOLESALE AND RETAIL.

A LARGE ASSORTMENT OF

### BOOTS & SHOES

AT THEIR OLD STAND.

### G. & C. BRADLEY

WOULD inform their friends and customers,  
that they are now prepared to furnish  
them with almost any article in their line that can  
be called for, of their own manufacture and of the  
best materials, which, for kind and quality, will  
be sold as cheap as at any other establishment in  
the State. They have a large stock of  
**Negro Brogans,**  
men's and boy's, both sewed and pegged, all of  
which will be warranted.

—ALSO;—  
a good assortment of gentlemen and ladies  
**RUBBER OVER SHOES,  
CORK SOLES, &c. &c.**  
The Manufacturing and Repairing will be attended  
to as usual, of the best material, and as to  
STYLE shall be made to suit the wishes of all  
who may favour them with a call.  
N. B.—Also, for sale, Northern tanned  
**Sole Leather, Calf Skins,**  
and any other kind of Stock that may be wanted.  
Shoe Maker's FINDINGS, &c.  
Nov. 22, 1844. 10-3m

## THE JOURNAL.

FRIDAY, DEC. 20, 1844.

### North Carolina Legislature.

[As we observed in our impression of last Friday, owing to the failure of the Raleigh papers, we were unable to give our readers any late Legislative news. This we regretted, but as the fault did not lie with us, we must do the best we can in giving the proceedings up to the present date. From the Raleigh papers, we condense the proceedings up to the 12th inst.]

### IN SENATE.

Wednesday, Dec. 4.

Nothing of much importance was transacted in this body to-day. Several bills were introduced of a private nature, and referred to the committee on the Judiciary. Amongst others, Mr. Holmes introduced a bill to incorporate a Company of Cavalry in the town of Wilmington.

The bill to incorporate Cross Creek Lodge No. 4 of the Independent order of Odd Fellows in the town of Fayetteville, was read the second time and passed.

### HOUSE OF COMMONS.

No business of importance was transacted in the House to-day.

Mr. Poindexter, from the Committee on the Judiciary, reported without amendment the bill to extend the time for registering Grants, Deeds of Mesne Conveyance, Bills of Sale, and Deeds of Gift, and the bill was read the second time and passed.

### IN SENATE.

Thursday, Dec. 5.

The Hon. William B. Shepard, Senator from Pasquotank and Perquimans, appeared, was qualified, and took his seat.

Mr. Hellen, from the Committee on the matter of the certificate of the Senator from Onslow, offered a resolution asking that power be given to the Committee to administer oaths, and also for two additional members to said committee. Mr. Hellen said, that from the remarks of a public print in this City, he was inclined to sift the matter thoroughly, and he desired more skill and intelligence on the Committee.

After a short debate upon the propriety of enlarging the investigating committee in which Messrs. Wilson, Francis, and Edwards took part, the resolution was adopted, and Messrs. Edwards and Boyden were added to the committee.

The bill concerning Jury trials came up on its second reading, and, on motion of Mr. Shepard, postponed till Thursday.

Mr. Edwards presented the following resolution, which he considered important, connected as it was with the Financial Affairs of the State. From the Report of the Auditor it would be seen that there was now a deficit in the Treasury of \$70,000, an impending debt of \$100,000, and that \$150,000 would have to be provided at the present session to meet future liabilities. This embarrassing situation of the Treasury would demand an inquiry into all our means, and he therefore moved the Resolution:

**Resolved**, That the Public Treasurer be directed to report to the Senate, the whole amount of Stock held by the State in incorporated Companies—specifying the amount in each Company, and the fund to which it belongs; also, what investments, if any; have been made since the last Legislature, and for what fund; and what sum or sums, if any, belonging to the Literary or Internal Improvement fund remains uninvested—and also the several sums of debts due the State (except Bonds for Cherokee Lands) and the fund to which they belong.

The Resolution was adopted.

The bill more effectually to suppress trading with slaves was read a second time and passed.

The Bill to amend an Act passed in 1831 to incorporate the Guilford Gold Mining Company, so as to enlarge its powers, and enable them to direct their means to other purposes than Gold Mining, then came up for consideration, when a debate of some length took place between Messrs. Biggs, Lindsay, Boyden and Francis: Mr. Biggs went into a brief but able discussion of the principle of individual liability, and closed by offering the following amendment to the bill:

**Be it further enacted**, That to secure the creditors of the Company, in addition to the property of said corporation each Stockholder shall be liable to the creditors thereof in such sum as is equal to the Stock subscribed or owned by him, and each creditor may have an action of debt against all or any of the Stockholders.

Messrs. Lindsay, Francis and Boyden opposed the amendment, and the latter gentleman offered the following amendment to the amendment of Mr. Biggs:

**And** that the individuals composing said Company shall, when they make their return as directed in the section of their charter of incorporation to the County Court, make in said return an exhibit of all their private means and liabilities, and said returns shall be open to the inspection of all persons whatsoever.

The Senate then adjourned to the Commons Hall in order to count the votes for Governor.

### HOUSE OF COMMONS.

Received from the Senate a Message, informing that they had passed the engrossed bill to cede to the United States a certain tract of land lying on the Island of Portsmouth, Carteret county, for the purpose of erecting a Marine Hospital thereon, and asking the concurrence of the House. The said bill was then read the first time and passed, and on motion, the same was, by unanimous consent, read the second and third times, passed, and ordered to be engrossed.

The Speaker laid before the House a memorial of Francis E. Rives, of Virginia, praying for a charter by which he may be permitted to charge, on the Rail Road between Weldon and Margettsville, the same per mile as is allowed to be charged on the Portsmouth and Roanoke Rail Road.

Mr. Cherry moved that said memorial be

referred to the committee on Internal Improvements.

Here an animated debate sprung up on the motion introduced by Mr. Cherry, in which Messrs. Shepard, of Wake, Mills, of Rutherford, Moore, of Halifax, Haughton, of Chatham took part.

The Chair announced the arrival of the hour at which the two Houses had determined to count and list the votes cast for Governor at the last August election; and the Senate was informed of the readiness of the Commons to receive that body in the Commons' Hall.

The two Houses then assembled in General Convention, Hon. B. S. Gaither, Speaker of the Senate, presiding. The Clerks of the two Houses, in presence of the joint select committee, as Tellers, proceeded to examine the several returns of the Sheriffs, and to declare the number of votes given in the several counties of the State; which having been done, the Speaker announced the result as follows:

**Gentlemen of the Senate**  
and of the House of Commons:

The returns of the votes given at the late election on the first Thursday in August last, for Governor of the State, have been opened and published according to law; in the presence of a majority of the members of both Houses of the General Assembly.

The Tellers appointed by both Houses to examine the returns and make a list of the votes, have reported that forty-two thousand five hundred and eighty-six (42,586) votes were given for *William J. Graham*, of the county of Orange, being the highest number of votes given for any person, and that thirty-nine thousand four hundred and thirty-three (39,433) votes were given for *Michael Hoke*, of Lincoln county.

No objection being made to the said report, I declare that *William J. Graham* is duly elected Governor of the State of North Carolina, for two years from the first day of January, 1845.

**BURGESS S. GAITHER.**  
The Senators then withdrew, & the Speaker resumed the Chair.

Mr. Shepard having yielded the floor,  
On motion, the House adjourned.

### IN SENATE.

Friday, Dec. 6th.

After the introduction and disposition of some unimportant bills and Resolutions, the Speaker announced as the next business of the day the unfinished business of yesterday, to wit: the consideration of the bill to amend the act incorporating the Guilford Gold Mining Company.

An animated debate then sprung up, in which Messrs. Biggs and Edwards, in favor, and Messrs. Boyden and Francis against the bill, participated.

The amendment of [Mr. Boyden was then put to the Senate and rejected. The question then recurred upon the amendment offered by Mr. Biggs, and upon this the yeas and nays were demanded. Pending this, however, the Senator from Davidson, Mr. Hargrave, offered the following amendment: "That in case of failure on the part of said corporation, the private or individual property of each stockholder therein, shall be subject by law to the payment of his part of the debts of the corporation, after the property of the Company is first exhausted, in proportion to the amount of stock severally owned and held by them at the time of such failure—and not otherwise."

This amendment was also rejected, when the question was taken on the amendment of Mr. Biggs. Those who voted for the amendment are:

Messrs. Biggs, Boyd, Cameron, Drake, Eaton, Edwards, Emmet, Etheridge, Exum, Gavin, Gwynn, Hester, Hill, Holmes, Jeffreys, Melvin, Moody, Pasteur, Reich, Speight, Stallings, Stowe, Thompson, of Wake, Tomlinson, Walker and Wilson—26.

Those who voted against the amendment are:

Messrs. Bogle, Boyden, Cowper, Dockery, Elliott, Francis, Halsey, Hargrave, Hellen, Jefferson, Joiner, Lindsay, McMillan, Pharr, Shepard, Smith, Taylor, Thompson of Bertie, Waddell, Woodfin, and Worth—21.

So the amendment prevailed. The question then recurred upon the passage of the bill the third reading, when Mr. Lindsay asked that it be laid upon the table, which was agreed to.

Here again some unimportant bills and resolutions were disposed of.

Mr. Jeffreys, the Senator from Franklin, introduced the following Resolution, which was adopted:

**Resolved**, That the Public Treasurer be instructed to report to the Senate the names of the obligors to the bonds given to indemnify the State against any loss or damage that may come to the same in consequence of the endorsement by the State of the bonds of the Raleigh and Gaston Rail Road for five hundred thousand dollars; the sum for which each obligor is liable, and also any information in the Treasury Department relative to the insolvency of any of said obligors, and if so, what obligors, and if any suits have been brought on any of said bonds, that he specify the same.

On motion of Mr. Francis, a message was sent to the Commons proposing to vote tomorrow at 12 o'clock for seven Councillors of State.

Nothing more of importance was done in the Senate to-day.

### HOUSE OF COMMONS.

On motion of Mr. Guthrie,  
**Resolved**, That a committee be appointed to inquire into the expediency of selling the lands belonging to the State, which are situated in the city of Raleigh, and that they have leave to report by bill or otherwise.

The House now proceeded to the order of the day and resumed the consideration of the question pending on the adjournment of the House on yesterday, the same being on the motion of Mr. Atkins to lay the memorial of Francis E. Rives, of Virginia, on the table.

Mr. Atkins withdrew his motion, making some explanatory remarks; and  
The Speaker then stated the question to be upon the motion by Mr. Haughton for indefinite postponement.

Mr. Payne (of Chowan) opposed the motion in a speech of some 15 or 20 minutes. He

wished the memorial to be received and referred; he intended to vote against granting the prayer of the petitioner, but desired that the House would take definite action in the case.

[We give the remarks in full of Mr. Ellis from Rowan, upon the subject before the House, as we find them in the Raleigh Standard. We entirely coincide with Mr. Ellis in his views of the memorial. We think, containing the expressions that he quotes, it cannot be viewed in any other light than an insult to the whole State. The remarks of Mr. Ellis our readers will see are bold and manly. They are decidedly the best we have seen on the subject. This young member bids fair to take a high stand in our Legislative halls.

Ed. Journal.]

Mr. Ellis, of Rowan, rose and said:

Mr. Speaker: I had intended to give no expression to the feelings created in my bosom by the memorial of Mr. Rives, thinking that it had already produced its silent effects upon the minds of members, leaving them prepared to vote upon its propriety and fitness. But this determination has been abandoned, since gentlemen seem disposed to thrust into the debate the subject matter of the memorial itself, with the merits of the case there set forth, when, properly, a consideration of its form only is before the House. And, although I listened with an elevated degree of pleasure to the legal discussion on yesterday, between the gentleman from Wake (Mr. Shepard) and the gentleman from Halifax (Mr. B. F. Moore), yet I am unable to see that that discussion is pertinent in the least to the issue before us. What, sir, is the question before the House at this time? Simply this: a memorial has been offered to this body, and a motion made for its reference to one of the Committees of the House; and the only question that can arise upon this motion is, whether the petition is respectful or disrespectful in its language and sentiment. For I hold it to be obligatory upon this body to give every petition offered here a respectful hearing, it matters not how great errors either in religion or philosophy it may contain, provided it be respectful in its terms; but if it be of a contrary character, then it becomes our duty, as the conservators of the honor and dignity of North Carolina, to reject it.

We are brought, then, to the consideration of the petition of Mr. Rives in this point of view; and here I must beg leave to differ most essentially from the gentleman from Chowan (Mr. Paine), who preceded me. However this memorial may affect the sensibilities of other gentlemen, as to myself I am forced to regard it as a deliberate and wanton insult to the State of North Carolina.

This memorial holds language of a most disrespectful character towards a high functionary of the government, a Judge of the Circuit Court. The official acts of this functionary are severely animadverted upon by the memorialist; he is charged with having delivered an opinion touching the interests of the petitioner contrary to law, without, to use the language of the memorial itself, "quoting a single statute or a single paragraph of common Law" to sustain his position; thus leaving the inference upon the mind, that the opinion is the offspring of an arbitrary will or a corrupt heart. I would invite the attention of gentlemen, particularly to those clauses of the petition relating to the conduct of the Circuit Judge alluded to. More will be there seen, from the phraseology and punctuation, than can accurately be expressed in language. It will be seen that garbled extracts have been taken from the legal opinion alluded to, italicized, and perverted, with an obvious intention of bringing derision and ridicule upon both the opinion and its author. In one instance it is characterized as a "remarkable opinion," and the memorialist "affably" denies that the case of the Raleigh and Gaston Rail Road Company, vs. Davis contains such doctrine as the Judge declared it did, in delivering his opinion. He does not deny it by way of argument nor does he call to his aid smooth sentences and rounded periods; but to use his own abrupt language, he "affably denies" it; thus forming an issue of fact, as it were, between himself and a Judge of the Circuit Court of N. Carolina.

In the last paragraph of this memorial relating to the Circuit Judge, he is charged with an attempt to "force upon the public mind" the belief that the case alluded to—the Raleigh and Gaston Rail Road Company, vs. Davis—contains doctrine prohibiting the Sale of a Rail Road, and he (the memorialist) takes great credit to himself for having "expressed this attempt" to the Legislature. The Judge receives no credit for having decided this case, in which the petitioner was interested, upon the same ground that he decides all others, because it regularly came on for trial before him; but a clear intimation is thrown out that there was a deliberate intention, on the part of the Judge, to abuse and impose upon public opinion, by perverting legal authorities.—What greater imputation could be cast upon the character of any man?

If, Sir, these expressions, together with their manner, style and spirit, be not disrespectful to the Judge of the Circuit Court, then I must confess that my sensibilities are fastidiously delicate. And if they are disrespectful to him they are an indignity to the State of North Carolina whose officer he is. But this memorialist is not content with casting slurs upon the Circuit Court; he ascends to the Supreme Court itself, and offers an indignity to that elevated tribunal, the pride and boast of the State. He leaves it at liberty to decide only one way in a case, under grave deliberation, without coming in conflict with his denunciations. If he decide in favour of the defendant—who is the memorialist himself—then it will be in accordance with law, and thereby his "confidence will be greatly increased" in that tribunal; but if, on the contrary, they decide for the plaintiff and sustain the Court below, then it will be in opposition to both law and common intelligence, or, to use the language of the petition, "it will be by a Common Law expansion unknown to others than those who live in North Carolina," and that such a decision would "produce astonishment both in Europe and America." I will not make any comments, sir, upon this portion of the memorial, but refer it to every North Carolina bosom to bid it its decision.

Question of insult and indignity, Mr. Speaker, are more matters of feeling than of reason. I therefore forbear from going further into the

particulars of this memorial, but would invite the attention of gentlemen to the entire document—the spirit that breathes through the whole, the marked emphasis with which No. Carolina is unenviably compared to her sister States, and the constant effort to distinguish her from the intelligent portions of the earth in case she sustains certain positions of her Judiciary. Let gentlemen take this view of the document before us, and I feel satisfied that the ultimate conclusion must be, that this memorialist has mistaken his tribunal. If he desires to cast reflections upon the character of the Judiciary of the State and decide her laws, then he ought to have resorted to the public prints of the country—certainly not to this Hall